

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

FILED

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U.S. DISTRICT COURT
N.D. OF ALABAMA

VINCENT MACON,

Plaintiff,

vs.

CV 97-S-1530-S

WARDEN STEVEN DEES, ASSISTANT
WARDEN BILLY MITCHEM, and
CHAPLIN BILL LINDSEY,

Defendants.

ENTERED

MAY - 5 1998

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on March 17, 1998, recommending that the defendants' motion for summary judgment be granted and this cause be dismissed with prejudice. Plaintiff filed objections on March 30, 1998.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections filed by the plaintiff, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and his recommendation is ACCEPTED. The Court EXPRESSLY FINDS that there are no genuine issues of material fact and that the defendants are entitled to judgment as a matter of law. Accordingly, defendants' motion for summary judgment is due to be GRANTED and this action is due to be DISMISSED WITH PREJUDICE. A Final Judgment will be entered.

DONE this the 7th day of May, 1998.


C. LYNWOOD SMITH, JR.
UNITED STATES DISTRICT JUDGE

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